

EXHIBIT J

Declaration of Omar Gonzalez-Pagan in support of
Motion to Exclude Expert Testimony of Dr. Paul W. Hruz
Kadel v. Folwell, No. 1:19-cv-00272-LCB-LPA (M.D.N.C.)

I N D E X O F E X A M I N A T I O N

Page

Questions by Mr. Harmon 5

Questions by Mr. Gonzalez-Pagan 49

(No exhibits were marked.)

A P P E A R A N C E S

For the Plaintiff:

Mr. Omar Gonzalez-Pagan
Lambda Legal
120 Wall Street
New York, New York 10005
(212) 809-8585
ogonzalez-pagan@lambdalegal.org

For the Defendant:

Mr. Terry Harmon (via phone)
Sniffen & Spellman, P.A.
123 North Monroe Street
Tallahassee, Florida 32301
(850) 205-1996
tharmon@sniffenlaw.com

The Court Reporter:

Ms. Brenda Orsborn, RPR/CSR/CCR
Missouri CCR No. 914
Illinois CSR No. 084-003460
Veritext Legal Solutions
515 Olive Street, Suite 300
St. Louis, Missouri 63101
(888) 391-3376

1 center in St. Louis.

2 And that's how that happened. Dr. Hruz
3 e-mailed me -- it's either the same day or the next
4 day, and invited me to lunch.

5 Q. Where did you go -- did you end up going to
6 lunch?

7 A. We did.

8 Q. Where did you go?

9 A. At the Wild Flower in the Central West End.

10 Q. And what -- you said it was in 2013?

11 A. Yes.

12 Q. Do you recall what month?

13 A. October.

14 Q. Okay. Was anybody else at the lunch?

15 A. No.

16 Q. Do you recall approximately how long the
17 lunch was?

18 A. Maybe 45 minutes.

19 Q. Was your conversation recorded?

20 A. No.

21 Q. I guess, to your knowledge, you may not
22 know, right?

23 A. To my knowledge. I did not record it.

24 Q. Okay. What -- what did you -- when you were
25 going to have that lunch with Dr. Hruz, what was the

1 purpose of it, in your mind?

2 A. Well, the e-mail that he sent me stated that
3 he wanted to meet to -- I think he kind of positioned
4 it as wanting to learn more about this experience, and
5 he shared that he -- he was well aware that Dr. Abby
6 Hollander was working with me, or that I had
7 approached her about starting a pediatric gender
8 center inside the hospital, and that he was having
9 great difficulty being open to that concept based on
10 his morals.

11 He said that he did not -- part of the note
12 I remember said something about he did not agree with
13 the -- the recommended standards of care, or something
14 like that, for our children, that he didn't believe
15 that it was appropriate medically or spirit -- or that
16 it -- or that it wouldn't meet their spiritual needs,
17 or something like that.

18 And so I realized -- I realized -- I felt
19 like it was going to be not a great meeting, but I was
20 still willing to meet with him because I felt that
21 maybe, you know, the parent perspective could be
22 helpful to him.

23 Q. Now, was that document, was that in an
24 e-mail that he conveyed that information to you?

25 A. Yes.

1 Q. Do you still have that e-mail?

2 A. I do.

3 Q. Okay. Have you shown that e-mail to counsel
4 in the room?

5 A. I did.

6 Q. Do you have it with you now?

7 A. I don't.

8 Q. Okay. To the best of your knowledge, can
9 you tell me everything, aside from what you've already
10 told me, that that e-mail says in it?

11 A. Those -- those were the sticking points for
12 me, because I found it very odd that he would be
13 talking about faith or morals or spiritual needs in
14 the context of this conversation. It was not -- I
15 talk to many medical professionals in my work with
16 TransParent, and it's the first time that somebody was
17 so overtly upfront that it was problematic due to
18 their faith on some -- at least on some level. So I
19 can't remember it. It wasn't -- it was longer --
20 the -- the note was longer than that, but those were
21 the points that have stuck out with me.

22 Q. Okay. Other than that e-mail, do you have
23 any other document that reflects communication you
24 have had with Dr. Hruz?

25 A. There's -- I mean, after he e-mailed me, I

1 e-mailed him and told him that I, you know, was very
2 excited to meet with him, although I was -- you know,
3 I think I expressed some disappointment because
4 Dr. Spack had shared that he was, you know, I guess
5 against a pediatric gender center at St. Louis
6 Children's Hospital and -- but that, you know, I
7 was -- I would be very happy to have the conversation
8 or something like that. And then he e-mailed me back
9 and said, "Thank you for responding so quickly," and
10 he would have his secretary reach out to me to set a
11 date and time.

12 Q. Okay. So this meeting that you were going
13 to have with him that ended up being a lunch, was any
14 part of that meeting in the context of receiving
15 medical care, opinions or services?

16 A. No.

17 Q. Okay. Were you going to learn anything from
18 Dr. Hruz you would personally use with you or your
19 family members when it comes to treatment for any type
20 of disorders?

21 A. No.

22 Q. Was it just to learn about Dr. Hruz's
23 position on the pediatric gender center at the
24 Washington University?

25 A. Well, he called the meeting, so I -- I --

1 again, I really wanted to go, because I understood
2 that he had a lot of influence on whether or not the
3 center moved forward. And I had been talking with
4 other doctors and people on their DSD team at
5 St. Louis Children's Hospital about moving this
6 forward, but it really had stalled.

7 And so I -- I just felt like being the head
8 of Endocrine, that he would have a lot of influence
9 over that decision. And so for me, that is why I
10 wanted to go and meet with him, to see if I could say
11 anything that would might make -- that might make him
12 more interested in doing something like that.

13 Q. So would you characterize this as a business
14 meeting?

15 A. Not really. I'm -- not really. I guess --
16 I guess --

17 Q. Were you hoping to come away from that
18 meeting with some type of support from Dr. Hruz for
19 the establishment of the pediatric gender center?

20 A. I guess I just felt like all of the
21 treatment for our kids was going through a person that
22 reported to Dr. Hruz. And so I guess I felt like he
23 may not have enough information to support it or not
24 support it. He wasn't seeing any of our kids.
25 There -- there were only a handful of our kids at the

1 time.

2 You know, this is four years ago before
3 everything really opened up in St. Louis as far as
4 treatment and care for kids. But I just understood
5 that he -- and especially since he had already said in
6 his e-mail that he didn't support the center, I guess
7 I was hopeful that the parent perspective might be
8 helpful.

9 Q. Okay. Now, did I understand you to say that
10 you were aware that Dr. Hruz was providing treatment
11 to your -- when you say "our kids," are you referring
12 to TransParent --

13 A. Yes.

14 Q. -- members' kids?

15 A. Yes.

16 Q. Okay. So to your knowledge, as of 2013, to
17 your knowledge, was Dr. Hruz treating transgender
18 children?

19 A. He was not, that I -- to my knowledge.

20 Q. Okay. So in terms of that -- that lunch
21 meeting, can you tell me everything you can remember
22 from the meeting?

23 A. Yes.

24 MR. GONZALEZ-PAGAN: Form.

25 Q. (By Mr. Harmon) Well, let me ask it a

1 different way. Can you tell me, to the best of your
2 recollection, everything Dr. Hruz said to you during
3 the lunch meeting?

4 MR. GONZALEZ-PAGAN: Form. You can answer.

5 THE WITNESS: Oh.

6 Q. (By Mr. Harmon) Yeah, you can answer.

7 A. Yeah. So after, you know, introducing
8 ourselves I started off with trying to tell him a
9 little bit about my family and our experience, but
10 I -- I really didn't get very far. He interrupted me
11 fairly quickly, probably within a minute or so, two
12 minutes tops, and said that he had reviewed my
13 brochure from TransParent and that he knew that my aim
14 was to normalize the transgender experience, but that
15 it would never be a normal experience. It was not a
16 normal experience, and it would never be normal.

17 We went on to talk more about, you know,
18 his -- he -- he actually started talking about Pope
19 John Paul II's writings on gender and -- and how they
20 explain God's plan for gender, and that I should
21 consider reading them. And he said, you know, this
22 idea that -- the idea of doing surgeries on
23 transgender people is -- is wrong, that, you know, we
24 should not be, you know, changing bodies.

25 And I said -- I -- I argued with him on that

1 point that, you know, there are men that have man
2 boobs, and I said they have theirs surgically removed
3 or altered. And I said wouldn't that be the same
4 thing, and -- and why is that okay, but not removing
5 the breast for a transgender boy, and he said,
6 "Because male breasts aren't used for anything, but
7 female breasts lactate and provide nourishment to
8 babies. So, therefore, it would be -- it would go
9 against, you know, God's plan to remove breasts from
10 women." Something -- something very close that.

11 He said several times during this
12 conversation, as I tried to tell him, you know, how
13 hard it was for my child living a transgender life,
14 you know, but that -- but what a great -- what a great
15 son I've had since I allowed him to transition, how
16 happy he was. And he said that, you know, what a -- I
17 kept saying, "What a normal life -- like if you met my
18 son, you would never know. He's a very normal little
19 boy."

20 And he kept saying, he kept insisting that
21 my child was not normal and would never be normal.
22 And he said that to me at least three or four times
23 during our conversation.

24 He said -- and -- and at the same time he
25 just kept saying, "If only you would read Pope John

1 Paul II's writings. If only you would read them, you
2 would understand everything." And I said, "Well, you
3 know, the Bible tells a story about, you know, man
4 was -- woman was created from the rib of man," and I
5 said, "You know, maybe this all started with Adam and
6 Eve because God took a rib from a woman -- or from a
7 man and put it into women, and maybe he crossed that
8 DNA, you know, at the very beginning, and maybe that's
9 why we have transgender people."

10 He said -- he got very irritated with me,
11 and he said, "Not all the stories in the Bible are
12 true."

13 And I said, "Well, then how do you decide
14 which ones you're going to believe and which ones
15 you're not? How do you determine that, like, which
16 ones you follow and which ones you don't follow?"

17 And he -- he reverted right back to -- he
18 goes, "You just need to read Pope John Paul II's
19 writings on gender. It will -- it will explain it all
20 to you."

21 And I said, "Do you realize that kids like
22 mine are at a 41 percent risk of suicide if they don't
23 have acceptance and -- and care from their parents
24 and -- and if they don't get their medical needs met?"

25 And he said, "Some children are born in this

1 world to suffer and die." And he said, "Do you think
2 I don't ask myself all the time why some people get
3 cancer?" He goes, "I -- I ask myself that all the
4 time."

5 And I said, "Well, people with cancer, at
6 least we try to help them. At least we give them
7 care." And I think the conversation ended shortly
8 after that, and he stood up, and he said, "I -- I have
9 to tell you there will never be a pediatric gender
10 center at St. Louis Children's Hospital. I won't
11 allow it." And I --

12 Q. Did he say why?

13 A. Pardon me?

14 Q. Did he say why he would not allow it?

15 A. Well, based on every -- no, he did not say
16 why. That's how he ended the conversation, but my
17 interpretation would have been based on everything
18 we -- he had just shared with me that he was in
19 disagreement from -- based on his faith.

20 Q. Did he ever say that he would not allow a
21 gender center because of his faith?

22 A. He did not.

23 Q. Okay. That was your interpretation of --

24 A. Yes.

25 Q. -- what the conversation was?

1 A. I am.

2 Q. How are you aware of what his position is
3 now?

4 A. I saw a -- some papers that he's publishing,
5 and I understand that he is involved in other cases
6 involving students, so Internet searches.

7 Q. Did your conversation with Dr. Hruz anger
8 you?

9 A. My conversation?

10 Q. Yes.

11 A. It -- it perplexed me. I found --

12 Q. Why did it perplex you?

13 A. Again, because it was so religious-based.
14 I -- I was very taken off guard by the religious tone
15 of the conversation, because I -- I figured it would
16 at least be based on science. He would have some
17 science behind his feelings over children like mine,
18 but that is not what I heard in our conversation at
19 all.

20 Q. So your conversation with Dr. Hruz, is it
21 fair to say that it was based on religion and moral
22 viewpoints as opposed to science?

23 A. Yes.

24 MR. GONZALEZ-PAGAN: Form.

25 Q. (By Mr. Harmon) What was the answer?